

Rec'd PCT/PTO 24 MAY 2005

05-24-05 14:13 From-CLARK & ELBING LLP

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T-575 P.001/008 F-206

## Clark & Elbing LLP

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Boston, MA 02110

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**Date:** May 24, 2005

**To:** Mrs. Terri Johnson-Vessels  
U.S. Patent and Trademark Office  
PCT Legal Department

**Facsimile No:** 703-746-6630

**From:** Susan M. Michaud, Ph.D.  
Reg. No. 42,885

**Re:** U.S. Patent Application No. 10/516,839  
"Use of Benzo[c]Quinolizium Derivatives for the Treatment of  
Diseases that are Linked to Smooth Muscle Cell Constriction"  
Our Reference: 00786/403JP1

**Pages:** 8, including this one

- (1) This cover sheet
- (2) Copy of Filing Receipt, changes marked directly
- (2) Petition to Correct Filing Receipt
- (3) Copy of Combined Declaration and Power of Attorney

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PATENT  
ATTORNEY DOCKET NO. 50376/003001

Certificate of Transmission by Facsimile: Date of Transmission: May 24, 2005

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to Mrs. Terri Johnson-Vessels, PCT Legal Department, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above via # 703-746-6630.

Guy Beardsley  
Printed name of person transmitting facsimile

  
Signature of person transmitting facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Frederic Becq et al.	Art Unit:	Not Yet Assigned
Serial No.:	10/516,839	Examiner:	Not Yet Assigned
Filed:	March 4, 2005	Customer No.:	21559
Title:	Use of Benzo[c]Quinolizium Derivatives for the Treatment of Diseases that are Linked to Smooth Muscle Cell Constriction		

Attn: Mrs. Terri Johnson-Vessels  
PCT Legal Department  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT FILING RECEIPT

Applicant requests that the enclosed filing receipt be corrected as follows.

Inventor Yvette Mettey's name was misspelled as Yvette Metley. The correct spelling is Yvette Mettey, note the double "T".

Enclosed are copies of the incorrect filing receipt and a copy of the declaration and Power of Attorney.

If there are any charges or any credits, please apply them to Deposit Account No.  
03-2095.

Respectfully submitted,

Date: May 24, 2005

Susan M. Michaud  
Susan M. Michaud, Ph.D.  
Reg. No. 42,885

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

PATENT  
ATTORNEY DOCKET NO. 50376/003001

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled "Use of Benzof[Quinolizinium Derivatives for the Treatment of Diseases that are Linked to Smooth Muscle Cell Constriction," the specification of which is attached hereto and is that of PCT International Application No. PCT/FR03/01688, filed on June 5, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with 37 C.F.R. § 1.56.

**FOREIGN PRIORITY RIGHTS:** I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Country	Serial Number	Filing Date	Priority Claimed?
France	02/06916	June 5, 2002	Yes
PCT	PCT/FR03/01688	June 5, 2003	Yes

**PROVISIONAL PRIORITY RIGHTS:** I hereby claim priority benefits under 35 U.S.C. § 119(e) of any United States provisional patent application(s) listed below filed by an inventor or inventors on the same subject matter as the present application and having a filing date before that of the application(s) of which priority is claimed:

Serial Number	Filing Date	Status
		Pending

**NON-PROVISIONAL PRIORITY RIGHTS:** I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

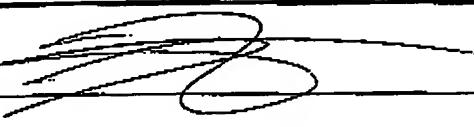
Serial Number	Filing Date	Status

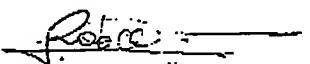
I hereby appoint the attorneys and/or agents associated with customer number 21559 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence relating to this application to the address associated with customer number 21559.

Address all telephone calls to: Susan M. Michaud, Ph.D. at 617-428-0200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Frédéric Becq	Bonnes, France	Bourgueil F-86300 Bonnes France	France
Signature: 			Date: 12/12/04

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Renaud Robert	Poitiers, France	7, avenue Mozart Résidence Charlemagne App. 35 F-86000 Poitiers France	France
Signature: 			Date: 13/12/2004

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Laurence Pignoux	Jardres, France	3, rue de la Vallée Chauveau F-86800 Jardres France	Belgium FRANCE
Signature: 			Date: 05/01/05

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Christian Rogier	Poitiers, France	22, rue du Maréchal Foch F-86000 Poitiers France	France
Signature: 			Date: 14/12/2004

05-24-05

14:15

From:CLARK &amp; ELBING LLP

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T-575 P.008/008 F-206

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Yvette Metley	Poitiers, France	5, rue de l'ancienne Comédie F-86000 Poitiers France	France
Signature:	<i>Y. Met</i>		Date: 16/12/04

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Jean Michel Vierfond	Maisons Alfort, France	2, rue Molière F-94700 Maisons Alfort France	France
Signature:	<i>JMV</i>		Date: 5-01-2005

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Michel Joffre	Poitiers, France	16, rue des Arènes Romaines F-86000 Poitiers France	France
Signature:	<i>Michel Joffre</i>		Date: 16 dec 2004

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Cécile Marivingt-Mounir	Poitiers, France	30, rue des Douves Résidence de la Chanterie F-86000 Poitiers France	France
Signature:	<i>CJ</i> <i>X</i>		Date: 16/12/2004 <i>X</i>



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/516,839	03/04/2005	1625	1116	50376/003001	9	22	3

## CONFIRMATION NO. 4276

21559  
CLARK & ELBING LLP  
101 FEDERAL STREET  
BOSTON, MA 02110

RECEIVED

MAY 11 2005

CLARK &amp; ELBING LLP

## FILING RECEIPT



\*OC000000015930156\*

Date Mailed: 05/05/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Frederic Becq, Bonnes, FRANCE;  
Renaud Robert, Poitiers, FRANCE;  
Laurence Pignoux, Jardres, FRANCE;  
Christian Rogier, Poitiers, FRANCE;  
Yvette Mettey, Poitiers, FRANCE;  
Jean Michel Vierfond, Maisons Alfort, FRANCE;  
Michel Joffre, Poitiers, FRANCE;  
Cecile Marivingt-Mounir, Poitiers, FRANCE;

Mettey

Power of Attorney: The patent practitioners associated with Customer Number 21559.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR03/01688 06/05/2003

## Foreign Applications

FRANCE 02/06916 06/05/2002

Projected Publication Date: 08/11/2005

Non-Publication Request: No

Early Publication Request: No

**Title**

Use of benzo[c]quinalizinium derivatives for the treatment of diseases that are linked to smooth muscle cell constriction

**Preliminary Class**

546

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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10/516,839	03/04/2005	1625	1116	50376/003001	9	22	3

CONFIRMATION NO. 4276

21559  
CLARK & ELBING LLP  
101 FEDERAL STREET  
BOSTON, MA 02110

CORRECTED FILING RECEIPT



\*OC000000016112454\*

Date Mailed: 05/25/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

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Michel Joffre, Poitiers, FRANCE;  
Cecile Marivingt-Mounir, Poitiers, FRANCE;

**Power of Attorney:** The patent practitioners associated with Customer Number **21559**.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/FR03/01688 06/05/2003

**Foreign Applications**

FRANCE 02/06916 06/05/2002

**If Required, Foreign Filing License Granted:** 05/25/2005

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/516,839**

**Projected Publication Date:** To Be Determined - pending completion of Security Review

**Non-Publication Request: No**

**Early Publication Request: No**

**Title**

Use of benzo[c]quinolizinium derivatives for the treatment of diseases that are linked to smooth muscle cell constriction

**Preliminary Class**

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